



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
and Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

March 4, 2008

9:00 a.m. Meeting Called to Order by Chairwoman Bauer

Pledge of Allegiance led by Frank Stewart, President of Friends of the Inyo

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Frank Stewart, President of Friends of the Inyo, provided a summary of activities over the last year:

- Been involved in the Forest Service route inventory.
- The number of volunteer hours has increased in the Eastern Sierra Stewardship Corp.
- Involved in various trail maintenance projects.
- Eastern Sierra Water Watchers has 18 local volunteers trained in basic water chemistry, habitat assessment, and aquatic bugs. They sample water at various sites in order to assess the health of streams. Will work with the Forest Service this summer to help with a watershed assessment. This project helps involve citizens in taking care of the land.
- Secured grant funding to pay seasonal crews for road and trail maintenance.

BOARD MEMBER REPORTS

Supervisor Reid reported on the following issues and activities:

1. Attended many RPAC meetings. Phyllis Honeywell called about Walker Basin Stakeholders; will meet with her on the 14th. Harry Reid wants to establish wilderness in three counties, up to Mono County, under the Nevada Lands Act. Supervisor Reid will review the bill to determine the impacts.
2. Bruce Woodward is on the Board of the CSRC&D.

Supervisor Hunt reported on the following issues and activities:

1. Attended ESTA interviews for the executive director on February 22nd and 27th. They selected a very good candidate, who accepted the position.
2. The Administrative Office of the Courts is in town to do a site review and plan for their new building; the money has been allotted. There will be a tour of the site tomorrow morning.
3. Discussed County/Town relations with Skip Harvey. Hunt provided information about the services the County provides to the Town. Harvey wants to work cooperatively on projects of mutual benefit.

4. Attended the mental health advisory meeting on February 27th; the May meeting will be held in the new facility in Walker.
5. Attended the Town-County Liaison meeting on February 28th. Brian Muir will make a presentation on the Sierra Center Mall at a future meeting.
6. Regarding the South Gateway process, Sports Management Group met on February 28th. They are putting together a *pro forma* about potential recreational facilities. At the meeting also talked about air service and a marketing plan, and talked about Joe Walsh, who will be representing Intrawest in June Lake.
7. Bill Dunkelberger is looking for people who are interested in sitting on the Central Sierra Advisory Council.

Supervisor Hazard reported on the following issues and activities:

1. Attended a debriefing meeting about Highway 395 closures. The CHP commander agreed to take the leadership role and will develop an area plan to address a number of issues. Caltrans has no way to notify the public about road closures with escort service; this issue needs to be resolved.
2. Could not attend the Chalfant RPAC meeting in person, but called in; apparently the meeting went well.
3. Attended the Benton visioning meeting; it went well. The community is embracing the process.
4. Filed papers for re-election yesterday.
5. Met with IMAAA on the 29th; there are a lot of issues to resolve.
6. Received a notice last month about the economic impacts of the big horn sheep area designation (an 84-page report). The federal managers don't know how to predict the impacts; fish and wildlife has determined the impacts are minimal. Dan Lyster has prepared a response letter.
7. Will be attending a travel management planning meeting.
8. The Wheeler Crest Fire District has asked for a letter of support similar to the letter the Board approved for Swauger Creek.
9. Asked Dave Wilbrecht to make a call to Senator Cox to follow-up with a response to Verizon.
10. Robert Berry, a citizen in Paradise and volunteer fire fighter, passed away on February 17th.

Supervisor Farnetti reported on the following issues and activities:

1. Attended the Highway 395 debriefing. The highway patrol commander will focus on improving communications. The recent wind speeds have been about 5 miles per hour more than in the past.
2. Met with Mark Mikulicich on the 25th about concepts regarding the Mammoth Hospital transport from the Main Lodge. In the future, the County may consider providing this service for a fee. Mikulicich will pursue this idea. If the County charges a fee, the cost should be covered by insurance.
3. Met with Tim Alpers on the 29th to review his presentation.
4. Met with Louis Molina last Friday to review a letter from the California State Waste Management Board. This issue was discussed today by Tom Wallace and Evan Nikirk (department reports). The County is doing what it can to satisfy the issues.

Chairwoman Bauer reported on the following issues and activities:

1. Was in contact with Senator Cox's office about a letter from Verizon. People are trying to help resolve the problems.
2. Senator Cogdill was elected to the state GOP caucus.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (**David Wilbrecht**)
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.
David Wilbrecht, CAO, reported on the following issues and activities:
1. Attended the meeting concerning closure of Highway 395; the highway patrol took responsibility for providing the leadership role.
 2. Participated in the ESTA executive director interviews.
 3. Currently working on motor pool costs.
 4. Will be meeting with Intrawest tomorrow.
 5. Participated in the Town-County Liaison meeting.
 6. Attended an IMAAA meeting.
 7. Attended the department managers meeting.
 8. Will bring forward a contract regarding public defenders.

APPROVAL OF MINUTES

- 2a) Regular meeting of February 5, 2008.
M08-041 (*Hazard/Farnetti, 5-0*)

- 2b) Regular meeting of February 12, 2008.
M08-042 (*Hunt/Reid, 5-0*)

CLOSED SESSION

Closed Session: 9:10—9:53 a.m.

Break: 9:53—10:00 a.m.

Reconvened: 10:00 a.m.

- 3) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION. Subdivision (a) of Government Code 54956.9. Name of case: Workers' Compensation Claim of Sheila Savell.
- 4) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, and Brian Muir. Unrepresented Employees: Assistant District Attorney.
- 5) PUBLIC EMPLOYMENT. Government Code section 54957—Assistant County Clerk-Recorder.

The Board had nothing to report from closed session.

DEPARTMENT REPORTS/EMERGING ISSUES

Sheriff Scholl reported on the following:

1. Update about recent activities: (1) Search warrants resulted in seizure of two vehicles and several pounds of drugs; will temporarily house one of the vehicles in the boat storage. (2) Took someone into custody who was stopped and had a loaded weapon in his car. (3) There was a plane crash yesterday near Crowley Lake; the department was on the scene within minutes. No one was hurt. (4) The deputies played the Coleville High School basketball team; the deputies lost. This was a good fundraiser for the school. (5) Will come back at a later date to talk about a part-time position to help in the records division. (6) Regarding recent 395 closures, members of various agencies met in February to discuss the issues; will meet with a smaller group soon to continue the discussion. Some of the issues will be discussed at the unified command meeting tomorrow.

Tom Wallace reported on the following:

1. Update about a meeting with the State Solid Waste Board yesterday. Reviewed a set of enforcement documents hoping the package would satisfy state concerns; they found fault with all the work that has been done. This raised several questions about whether or not they want the County to succeed and provide enforcement. As a result, Wallace introduced the concept of enforcement going back to the state. It does not appear the County is in the position, with the current number of staff members, to do everything the state expects. Public Works has accelerated efforts to meet compliance issues. Evan Nikirk said the state is finding fault with paperwork and not operations; the County has responded in good faith.

Lynda Salcido reported on the following:

1. Update about recruiting a registered environmental health scientist. Purchased a list of names of qualified people and sent a mailing about the job; have received many responses, and there are 4-5 very solid candidates. Will be setting up interviews at the end of the month.

CONSENT AGENDA

(All matters on the consent agenda are to be approved in one motion unless a board member requests separate action on a specific item)

HEALTH AND HUMAN SERVICES—PUBLIC HEALTH DIVISION

- 6) Immunization Assistance Program for FY 2007-08 and 2008-09
M08-043 **ACTION:** Approve contract with State of California, Department of Public Health, Office of County Health Services, for Immunization Assistance Program (IAP) for FY 2007-08 and 2008-09, and authorize Public Health Director to sign contract and any amendments.
(Reid/Farnetti, 5-0)

BOARD OF SUPERVISORS

- 7) Regional Planning Advisory Committee Roster
M08-044 **ACTION:** Approve and accept the Regional Planning Advisory Committee Roster update; remove Bob Peters from the Bridgeport RPAC.
(Reid/Farnetti, 5-0)

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

#	Received	Dated	From	Subject
8a)	2-20-08	2-15-08	John and Candy Logue to Mono County Board of Supervisors	Mitigation Tax, Logue Property, Residence, June Lake, APN: 16193-21
8b)	2-12-08 Postmarked	2-12-07	CC Communications to Mr. Duane Hazard, Mono County Supervisor	Acknowledging receipt of Supervisor Hazard's letter of February 5, 2008, concerning cellular telephone service in the Fish lake Valley area.
8c)	2-19-08	2-19-08	Yvette Garcia, President, Lee Vining Chamber of Commerce, to Mono County Board of Supervisors	Paving and Landscaping project at Lee Vining Community Center

8c) Supervisor Reid asked about funding that had "disappeared" for landscaping; Ms. Garcia needs a response. Evan Nikirk said in order to complete other projects money originally allocated to Lee Vining was reallocated. Public Works will respond to Ms. Garcia.

Chairwoman Bauer acknowledged receipt of the correspondence.

DEPARTMENT OF FINANCE

- 9) Mid Year Budget Review (**Roberta Reed**)
ACTION: Amend the 2007-08 budget as discussed.
M08-045 (**Hazard/Reid, 5-0**)

David Wilbrecht: This item will continue the discussion that the Board had at their last meeting. Wilbrecht encouraged the Board to continue to be conservative. Requests not approved at this time may come back during the 2008-2009 budget process. The facilities study is moving forward; the Airon information will be integrated into the study. Another big budget item is the equipment replacement schedule. Administration is working on plans for both facilities and equipment; this information will be presented to the Board at a future meeting. After funding the requests today, Wilbrecht encouraged the Board to put the remainder into reserve.

Supervisor Farnetti expressed reluctance about including unbudgeted revenues since the Board usually waits until the annual budget to address additional revenues. In light of the state budget shortfall, the County may see additional impacts, so the \$647,000 may not be actualized. Supervisor Hazard concurred and said the Board needs to be cautious about what is happening at the state level. Supervisor Hunt suggested the Board focus on basic services and move away from funding nonessentials.

Chairwoman Bauer asked about the IMAAA issue and the \$20,000 the Board approved last week. David Wilbrecht said the Inyo Board members have agreed to increase work hours at the Walker Senior Center, and have accepted the funding.

The Board then approved various requests (funding the requests will not impact the unbudgeted revenue).

- IMAAA (\$20,000 was approved last week)
- Unfunded salary increases
- Requests under \$10,000: farm advisor increased costs, increased parks & facilities costs, assessor mapping software (reimbursing the general fund); finance contract tracking system (changing a part-time position to full time); unfunded portion of court screeners positions (requested the Sheriff to present a financial overview of the program to the Board); veterans service officer increased costs; community development reception area maintenance; telephone network to improve service.

Sierra Center Mall:

David Wilbrecht: The bid is currently out and it could be less than requested; suggested the Board set the money aside for now. Will know the actual amount after the bidding process is complete. The scope of the project has been reduced in order to cut costs. The Board decided to appropriate the funds. Roberta Reed said the funds will be moved into the building development fund. If the cost is less, the Board has the option of moving the difference to the general fund or leaving it in the capital improvement fund.

Jail Needs Assessment:

David Wilbrecht: If the Board wants to use state money to help build a jail facility, the state will require a study separate from the facilities study. Having a study completed will help the County be in a better position for whatever state funds become available in the future. Roberta Reed said the Rural Cops funding has already been received. The Board agreed to do the jail needs assessment.

Solid Waste:

This request is for increased salaries and maintenance (from the solid waste fund). Part of the increase is due to the unexpected work required to grade the Walker ball field. The Board agreed to fund this request.

Public Works Increased Building Maintenance Costs:

This item is for \$16,000 in unanticipated projects (including HVAC upgrades and generators). The Board approved this request.

Contract Services:

Mary Booher said this request can be deferred until the end of the year; there may be mental health realignment funds available for this item.

Held over requests:

- Bridgeport exercise room: approved \$25,000
- Auchoberry pit fencing: Evan Nikirk said this can be postponed to next year's budget hearings if necessary. The Board decided to postpone this request.
- Memorial Hall: Wilbrecht said this will be in the facility study, so deciding when to fund this project is a question of priorities. The Board approved the exterior improvements.
- Park district study: Wilbrecht said at the last Town-County Liaison meeting they discussed projects that the County will participate in. The question is whether or not County residents want to participate in funding a park district (the study would determine the level of interest). There have been discussions about the County's role in future projects in Mammoth Lakes. Supervisor Hunt said Mammoth Lakes is fairly self sufficient, but constituents feel neglected when it comes to parks and recreation. The County could become involved in several communal facilities. Hunt suggested postponing this request and discussing it during the annual budget process. The Board agreed.
- Service Recognition Pins: The Board agreed this is an important program and approved the request.
- Video Conferencing: Clay Neely said the initial installation will be in the Board Chambers and Sierra Center Mall; the system will be set up so other sites can be added. The question of who will operate the system still needs to be answered. Wilbrecht said this system can be used for Board meetings, training, and other similar uses. It is important to reduce drive times for employees; technology is also a way to improve services. The Board supported this funding.
- Trout Education: Supervisor Reid said a member of the fisheries commission said \$57,000 would fund the program through the end of the year; or the Board can defer the item until Dan Lyster can provide more information. Supervisor Hazard suggested funding \$7,000 for secretarial support, and holding over the remaining amount. The Board agreed.
- Senior Services: Tom Wallace said a consultant could help resolve outstanding issues with IMAAA, review resources and redesign service delivery programs. Funding this request would help pay for a consultant, but the IMAAA board would bring in the consultant (they have not yet acted on this question). Supervisor Reid suggested setting aside the funding until there is further discussion with IMAAA. Supervisor Hazard supported the funding request because the County needs to identify the senior population and their needs; he agreed that the item should be held over pending further discussions with IMAAA. The Board agreed to hold over the funding.

Break: 11:30—11:40 a.m.

Reconvened: 11:40 a.m.

COUNTY ADMINISTRATION—HUMAN RESOURCES

- 10a)** Employment Agreement (**Robert Garret and Marshall Rudolph**)
- R08-11** **ACTION:** (1) Consider and potentially adopt **Resolution R08-11**, "A Resolution of the Mono County Board of Supervisors Approving an Employment Agreement with Stacey Simon and Prescribing the Compensation, Appointment, and Conditions of Said Employment." (2) Receive staff report. (3) Provide any desired direction to staff. (*Note: Ms. Simon is currently employed as an assistant county counsel, and the proposed agreement would continue such employment.*)
(**Reid/Hazard, 5-0**)

Robert Garret: This is a renewal of the contract for Stacey Simon, Assistant County Counsel; the renewal is for three years. Marshall Rudolph: Stacey is an outstanding attorney; he recommended renewal.

- 10b)** Employment Agreement (**Robert Garret and Marshall Rudolph**)
R08-12 **RECOMMENDED ACTION:** Consider and potentially adopt **Resolution R08-12**, "A Resolution of the Mono County Board of Supervisors Approving an Employment Agreement with Allen Berrey and Prescribing the Compensation, Appointment, and Conditions of Said Employment." Receive staff report. Provide any desired direction to staff. *(Note: Mr. Berrey is currently employed as an assistant county counsel, and the proposed agreement would continue such employment.)*
(Hunt/Farnetti, 5-0)

Robert Garret: This is a contract renewal for Allen Berrey for three years. Marshall Rudolph: This extends the current agreement, but adds one day a week to Allen's schedule due to Stacey Simon's reduced working hours. The contract provides a 30-day notice so hours can be reduced back to part time. This is a temporary measure.

SHERIFF AND DISTRICT ATTORNEY

- 11)** Update of County's Curfew Ordinance (**Sheriff Rick Scholl**)
M08-046 **ACTION:** Introduce and waive further reading of a proposed ordinance entitled "An Ordinance of the Mono County Board of Supervisors Repealing Chapter 10.56 of the Mono County Code, Entitled 'Curfew,' and Enacting a New Chapter 10.56 in its Place." Schedule the ordinance for enactment at the Board's next meeting on March 11, 2008.
(Hunt/Hazard, 5-0)

Sheriff Scholl: This ordinance was enacted in 1958, and needs to be updated. This is a tool for law enforcement to help deal with young people who are out late at night. The only changes are the hours: it will be illegal for kids to be out doing certain activities between 10:00 p.m. and 6:00 a.m.; daylight time will be 11:00 p.m. to 6:00 a.m. Have been working with Mammoth Lakes on various ordinances.

~ LUNCH RECESS ~

Break: 12:05—1:00 p.m.
Reconvened: 1:00 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

BOARD OF SUPERVISORS

- 12) Discussion and possible action by the Board of Supervisors regarding a potential partnership between the County, High Sierra Energy Foundation, the Town of Mammoth and Southern California Edison (**Supervisor Bauer**)

ACTION: Review, discuss and potentially direct staff on any direction or action the Board of Supervisors wishes to take regarding a potential partnership between County, High Sierra Energy Foundation, the Town of Mammoth and Southern California Edison.

Chairwoman Bauer: The Town of Mammoth Lakes has an agreement with SCE to get free upgrades. SCE is expanding the program to include more agencies and is working on a partnership with Inyo, Bishop, the Town, and maybe DWP. The program would provide a reduction in energy bills and reimbursements for retrofitting. This is a good program, but the deadline for the Call for Abstracts is March 7th. The High Sierra Energy Foundation can provide this service without charge. Much of the work has been done; Rick Phelps is working on it.

Marshall Rudolph: The COG would be the common forum to unite all the agencies. Details would be worked out with the individual agencies.

Supervisor Hunt: Rick Phelps will ask the COG to pass a resolution supporting the program. This is a good program. SCE is asking for public agencies to partner in order to lower energy costs and create an example of what can be done. The details of the plan will be handled at a later date; this is a three-year contract.

The Board directed staff to move forward with the partnership and take necessary action.

ECONOMIC DEVELOPMENT & SPECIAL PROJECTS

- 13) Conway Ranch Aquaculture Facility Update (**Dan Lyster, Tim Alpers, Steve Brown, and John Frederickson**)

ACTION: (1) Receive information from Inland Aquaculture Group (IAG) regarding accomplishments to date and future plans for aquaculture facility on Conway Ranch. (2) Provide appropriate direction to staff.

Tim Alpers, partner in the Inland Aquaculture Group, gave a PowerPoint presentation (on file in the Clerk's Office); he highlighted the following:

- 2007 Vision Statement
- IAG Public/Private Partnership Relationship. In order to be successful, need to have an excellent relationship with the County. Will transfer assets from Alpers Trout, LLC, to IAG. Also, IAG will have the exclusive use of the name "Alpers Trout" so the name can continue being used by the constituency of Mono County. Will continue providing trophy trout to the County.

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- The Conway Ranch will actively move fish eight months of the year; the remaining four months (winter) will be used to grow fish so they are ready by spring. The majority of the fish will stay in Mono County; Inyo County is second priority in stocking. If Fish and Game approves, and a business does not compete with Mono County, IAG will market fish out of the two-county area. But the priority is the Eastern Sierra.
- Accomplishments to date include conceptual plan, infrastructure improvements, and fisheries enhancement.
- Pounds of fish: 10,000 pounds of fish, ranging from ½ to 1 pound, equates to about 15,000-20,000 fish. In terms of value, on the open market the rainbows would sell for \$4.00/pound and the browns would sell for about \$4.50/pound.
- Projects of special interest for 2008 include ranch infrastructure improvements, annual fisheries program, and events/tours.
- Mono County, Conway Ranch Fisheries Resource Center: Home base for Mono County Fisheries Commission, fisheries program, hatchery experimental station, education/interpretive site. Outreach and education from the Ranch will assist the fishing industry.
- Outlined requests to be considered by the Mono County Board of Supervisors.
- Outlined the existing stocking sites, and the 2008 schedule.
- The Ranch is important to the local economy and to the angling community. Need to be able to maintain and continue to grow the facility.

John Frederickson, IAG, distributed information about an invasive species that could impact Conway Ranch (the Quagga Mussel); suggested that the Supervisors become aware of this problem.

Marshall Rudolph: The sale of Alpers' ranch does not impact the Conway Ranch operation. He pointed out that future plans for Conway Ranch will have to be reviewed and go through the CEQA process. Regarding the trophy trout program, the County receives 10,000 pounds at no cost; the remaining fish can then be sold, and the County could contract separately to purchase additional fish. If production exceeds 45,000 pounds, the County gets additional free fish.

Supervisor Reid: Fish and Game capped fish production on Conway at 45,000 pounds; will this be increased in the future? Dan Lyster: The Ranch needs to be disease free for three years then there is a possibility the cap will be lifted.

Board Members agreed that the future plans on Conway Ranch as outlined by Alpers could make the Ranch a major asset; the potential is exciting. By making long-term improvements, the County could reap benefits for years to come.

Public Comments

Jeff Hansen: Complimented Alpers on his report and the work he is doing.

Geoffrey McQuilkin, Mono Lake Committee: Agreed with Hansen's comment.

Ray Robles: Agreed that Conway Ranch is an asset; need to work together to find funding solutions.

Emmil Rummel: Supported Alpers' program. There are many federal grants available.

Marshall Rudolph: The Board expressed general support for the action items presented. There will be future meetings with IAG about each item, and a timetable will be developed for moving them forward. Will also work with the granting agencies as needed to change uses on Conway Ranch. Regarding the trophy trout contract, Rudolph will present a draft to the Board at a future meeting.

Break: 2:53—3:00 p.m.

ADJOURN: 3:41 p.m.

Adjourned in memory of Edward W. Miltenburg, Mono County Board of Supervisors District 4 (1985-1988), and Robert "Bob" Berry, Paradise volunteer fire fighter.

Mono County Board of Supervisors will meet in regular session on **March 11, 2008**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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